

UNITED STATES DISTRICT COURT  
FOR THE  
SOUTHERN DISTRICT OF GEORGIA  
AUGUSTA DIVISION

**J & J SPORTS PRODUCTIONS, INC.,**

**Plaintiff,**

**vs.**

**FLAME BAR & GRILL, LLC and  
RAIFORD C. DUNBAR, JR.,**

**Defendants.**

**Case No. 1:18-cv-61-JRH-BKE**

**PLAINTIFF'S APPLICATION FOR  
DEFAULT JUDGMENT AGAINST  
DEFENDANTS**

COMES NOW your Plaintiff J & J Sports Productions, Inc. and requests that an entry of judgment by default be entered against Defendants Flame Bar & Grill, LLC and Raiford C. Dunbar, Jr. The Clerk has previously entered the default on Defendants Flame Bar & Grill, LLC and Raiford C. Dunbar, Jr. on or about May 1, 2018. At the time and place of the hearing, Plaintiff will present proof of the following matters:

1.

Defendants Flame Bar & Grill, LLC and Raiford C. Dunbar, Jr. are not known to be infants or incompetent persons or in military service or otherwise exempted under the Soldiers' and Sailors' Civil Relief Act of 1940; and,

2.

Defendants Flame Bar & Grill, LLC and Raiford C. Dunbar, Jr. have not appeared in this action; and,

3.

This Application for Default Judgment by the Court and supplemental pleadings were served upon said Defendants by mail to the address where service was effectuated on the Defendants; and,

4.

Plaintiff is entitled to judgment against the Defendants on the claims pled in the complaint. To wit:

A. By contract, Plaintiff paid for the proprietary rights to distribute "*The Fight of the Century*" *Floyd Mayweather, Jr. v. Manny Pacquiao – Championship Fight Program* broadcast of May 2, 2015, via closed-circuit television (hereinafter referred to as the "Program").

B. With full knowledge that the Program was not to be intercepted, received, and/or exhibited by entities unauthorized to do so, the above named Defendants, and/or their agents, servants, workmen, and/or employees, did unlawfully intercept, receive and thereafter exhibit the Program at the time of the transmission at the address of the establishment, "Flame Bar & Grill", an establishment operated by Defendants, and located at 830 Broad Street, Augusta, GA 30901. Please see the concurrently filed Declaration of Affiant.

C. Said unauthorized reception, interception and/or exhibition of the Program by said Defendants were done willfully and for the purpose of direct or indirect commercial advantage or private financial gain.

D. The unauthorized publication or use of communications, such as the transmission for which Plaintiff had the distribution rights, is prohibited by Title 47 U.S.C., Section 605, *et seq.*

E. The unauthorized reception, interception and exhibition of the Program at the address of the Defendants' establishment as described herein, is also prohibited by Title 47 U.S.C. sec. 553, *et seq.*

F. By said acts of receiving, intercepting and exhibiting the Program at the above-indicated address, Defendants tortiously obtained possession of the Program and wrongly converted same to their own use and benefit.

5.

Plaintiff seeks Judgment in its favor and against the Defendants in the amount of \$110,000.00 plus Attorney's Fees in the amount of \$1,200.00 (an Invoice detailing how those fees were calculated is attached). A breakdown of the relief requested is detailed within the Proposed Order concurrently filed.

6.

By and through this Application, Plaintiff also seeks recovery of its attorneys' fees and relevant costs incurred as provided for pursuant to 47 U.S.C. Section 553, *et seq.* and 47 U.S.C. Section 605, *et seq.*

This the 24<sup>th</sup> day of May, 2018.

**RAGSDALE, BEALS, SEIGLER,  
PATTERSON & GRAY, LLP**

By: /s/ Ronald D. Reemsnyder  
Ronald D. Reemsnyder, Esquire  
Georgia Bar No. 597950  
135 Prominence Court, Suite 160  
Dawsonville, GA 30534  
Ph: (706) 216-1272  
Fax:(706) 216-1278  
Email: treemsnyder@rbspg.com

Attorney for Plaintiff  
J & J Sports Productions, Inc.

Ragsdale, Beals, Seigler, Patterson & Gray, LLP

135 Prominence Court  
Suite 160  
Dawsonville, GA 30534  
Ragsdale, Beals Tax ID: 58-1255413

Invoice submitted to:  
J & J Sports Productions, Inc.  
c/o Thomas P. Riley, Esq.  
Law Offices of Thomas P. Riley, P.C.  
First Library Square, 1114 Fremont Avenue  
South Pasadena CA 91030-3227

May 24, 2018

In Reference To:

File No. 6050.0398  
J & J Sports Productions, Inc. v. Flame Bar & Grill, LLC and  
Raiford Dunbar

Invoice #13223

Professional Services

		<u>Hrs/Rate</u>	<u>Amount</u>
3/29/2018	RDR		
	Prepare and e-file Civil Cover Sheet, Complaint, Certificate as to Interested Parties and Corporate Disclosure Statement	1.00 300.00/hr	300.00
4/2/2018	JYR		
	Prepare and e-file Litigant's Bill of Rights	0.30 200.00/hr	60.00
	JYR		
	Email process server regarding service of Flame Bar & Grill, LLC and Raiford C. Dunbar, Jr.	0.20 200.00/hr	40.00
4/4/2018	JYR		
	T/c with process server regarding service of Raiford C. Dunbar, Jr. and Flame Sports Bar & Grill; diary Answer due date	0.20 200.00/hr	40.00
	JYR		
	Email process server the Return of Service forms	0.10 200.00/hr	20.00
4/6/2018	JYR		
	E-file Proofs of Service of Raiford C. Dunbar, Jr. and Flame Bar & Grill LLC	0.20 200.00/hr	40.00
4/30/2018	RDR		
	Prepare Application for Clerk's Entry of Default and Affidavit in Support of Application for Clerk's Entry of Default	0.60 300.00/hr	180.00

J &amp; J Sports Productions, Inc.

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			<u>Hrs/Rate</u>	<u>Amount</u>
5/1/2018	JYR	E-file and serve Application for Clerk's Entry of Default and Affidavit in Support of Application for Clerk's Entry of Default	0.20 200.00/hr	40.00
	RDR	Receive notice of clerk's entry of default as to Raiford C. Dunbar, Jr. and Flame Bar & Grill, LLC	0.10 300.00/hr	30.00
	JYR	Email client regarding need for Affidavit to support default judgment	0.10 200.00/hr	20.00
5/8/2018	RDR	Email Attorney Haugabrook regarding case details	0.10 300.00/hr	30.00
5/14/2018	RDR	T/c with Mr. Dunbar regarding possible settlement	0.20 300.00/hr	60.00
5/23/2018	RDR	Prepare Application for Default Judgment, Declaration Supporting Default Judgment, Memo in Support of Default Judgment and Proposed Order Granting Default Judgment	1.00 300.00/hr	300.00
	JYR	E-file and serve Application for Default Judgment, Declaration Supporting Default Judgment, Memo in Support of Default Judgment and Proposed Order Granting Default Judgment	0.20 200.00/hr	40.00
For professional services rendered			<hr/> 4.50	<hr/> \$1,200.00

INVOICE IS DUE UPON RECEIPT AS IT INCLUDES CHARGES FOR WORK ALREADY PERFORMED AND EXPENSES PREVIOUSLY ADVANCED. IF NOT PAID WITHIN TEN (10) DAYS OF RECEIPT, INTEREST AND LATE FEES MAY APPLY.

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Plaintiff,

vs.

FLAME BAR & GRILL, LLC and  
RAIFORD C. DUNBAR, JR.,

Defendants.

CERTIFICATE OF SERVICE

This is to certify that I have this day served a copy of the within and foregoing Plaintiff's Application for Default Judgment by the Court Against Defendants and the supporting pleadings submitted with the Application upon the Defendants in this matter by depositing the same in the United States mail with adequate postage thereon, properly addressed as follows:

Flame Bar & Grill, LLC  
Raiford C. Dunbar, Jr.  
2002 Walter Farms Drive  
Hephzibah, GA 30815

This the 24<sup>th</sup> day of May, 2018.

RAGSDALE, BEALS, SEIGLER,  
PATTERSON & GRAY, LLP

By: /s/ Ronald D. Reemsnyder  
Ronald D. Reemsnyder, Esquire  
Georgia Bar No. 597950

Attorney for Plaintiff  
J & J Sports Productions, Inc.

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